

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LIBERTY UNION HIGH SCHOOL
DISTRICT AND KNIGHTSEN
ELEMENTARY SCHOOL DISTRICT.

OAH CASE NO. 2014040525

ORDER DENYING MOTION TO
QUASH SUBPOENA DUCES TECUM
AS MOOT

On May 9, 2014, Student filed a motion to quash a subpoena duces tecum served on his mother by the Knightsen Elementary School District. Student contended that the subpoena should be quash because it was overly broad, requested records not relevant to the purpose for which they were sought, and called for production of the records prior to the date presently scheduled for the due process hearing.¹

On May 14, 2014, Knightsen filed a response to Student's motion to quash. Knightsen indicated that Student had provided it with many of the records sought in the subpoena after Student filed his motion to quash. Knightsen stated that it was withdrawing its subpoena in light of Student's production of the records. Knightsen indicated that it would re-issue an amended subpoena if it could not come to an agreement with Student regarding records that were still outstanding.

Since Knightsen has withdrawn its subpoena duces tecum, Student's motion to quash is moot, and is therefore denied on that basis.

IT IS SO ORDERED.

DATE: May 14, 2014

/s/

DARRELL LEPKOWSKY

Administrative Law Judge

Office of Administrative Hearings

¹ Student did not include a copy of the subpoena duces tecum as an exhibit to his motion to quash.

